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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,680	04/02/2004	Takahiro Okamoto	Q80855	9759

23373 7590 02/05/2008  
SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

EXAMINER
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BURLESON, MICHAEL L

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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02/05/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/815,680	<b>Applicant(s)</b> OKAMOTO, TAKAHIRO	
	<b>Examiner</b> Michael Burleson	<b>Art Unit</b> 2625	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/02/2004</u> . | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) was submitted on 04/02/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 2 rejected under 35 U.S.C. 102(e) as being anticipated by Asano US 2004/0160454.
3. Regarding claim 1, Asano teaches a color conversion definition coupling apparatus for creating a coupling color conversion definition defining an association of coordinates of a first device color space depending on a first device with coordinates of

a second device color space depending on a second device in such a manner that coordinates of a device color space depending on a device mediating between an image and image data is associated with coordinates of a non-dependence color space independent of a device, and a first color conversion definition and a second color conversion definition, which define the first device and the second device, respectively, are coupled with one another (figure 3 and page 3, paragraph 0052),

4. wherein each of the first color conversion definition and the second color conversion definition has a space conversion section defining an association between the coordinates of the device color space on a color reproduction area representative of colors capable of being reproduced by the device and the coordinates of the non-dependence color space (page 3 paragraph 0054 and page 4, paragraph 0055), and an area conversion section defining on the non-dependence color space an association between coordinates of the color reproduction area and coordinates of a coupling area independent of the device (page 4, paragraph 0056-0058),

5. and wherein the conversion definition coupling apparatus comprises: an area decision section that decides whether two the coupling areas for the first color conversion definition and the second color conversion definition are identical (page 4, paragraph 0060);

6. and a definition coupling section that creates the coupling color conversion definition in such a manner that when the area decision section decides that two the coupling areas are identical, associations defined by the space conversion section for the first color conversion definition, the area conversion section for the first color

conversion definition, the area conversion section for the second color conversion definition, and the space conversion section for the second color conversion definition are sequentially coupled (page 4, paragraph 0060-0065), and when the area decision section decides that two the coupling areas are not identical, associations defined by the space conversion section for the first color conversion definition and the space conversion section for the second color conversion definition are coupled with one another in accordance with a conversion algorithm for converting coordinates from one to another of two the color reproduction areas (page 4, paragraph 0069-0077).

Regarding claim 2, the structural elements of apparatus claim 1 perform all of the structural elements of apparatus claim 2. Thus, claim 2 is rejected for the same reasons discussed in the rejection of claim 1.

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**Conclusion**

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached at (571) 272-7406

*KA Williams*

**KIMBERLY WILLIAMS  
PRIMARY PATENT EXAMINER**

Michael Burleson  
Patent Examiner  
Art Unit 2626

*MB*

MIb  
February 03, 2008